

November 13, 1989

Faculty Meeting Minutes
School of Law
Dean's Conference Room, 4:00 PM

PRESENT: Bergman, Browde, Burr, Desiderio, DuMars, Ellis, W., Flickinger, Gonzales, Hermann, Kelly, Kovnat, MacPherson, Norwood, Parnall, Romero, Sanders, Scheible, Schwartz, Sedillo Lopez, Taylor, Ursua-Cocke, West, and Winograd.
Student Representatives: Cantwell, Rasheed, and Singdahlsen.

Upon proper motion and second the minutes of the October 30, 1989 faculty meeting were approved.

Dean's Announcements:

- Gumpert Day is Wednesday, November 15, 1989. There will be a formal sitdown luncheon following the convocation in the Bondurant Lecture Hall (Room 2401) at 12:30 pm. Approximately 200 are expected to attend.
- Professor Antoinette Sedillo Lopez will be speaking Tuesday, November 14, 1989 on "Test-Tube Babies, Surrogate Mothers, and Frozen Embryos". This is part of the Law School's public lecture series and will be in the Bondurant Lecture Hall (Room 2401) beginning at 7:15 pm.
- Commendations went to Associate Dean Leo Romero, who is serving as a special prosecutor for U.S. Magistrate William Deaton on a free-press case.
- Professor Robert Schwartz has recently published an article in the St. Louis University Law Journal titled "Setting Limits on Autonomy: Saving Money in an Aging Society" (Vol. 33, 1989).

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- In addition, Research Professor Paul Nathanson has written the forward for the recent Houston Law Review symposium on "Health Care for an Aging Society" (October 1989).
- On Friday, November 10, 1989, the Mexican Minister of Foreign Affairs signed an agreement with the University of New Mexico to train Foreign Service Officers at the UNM School of Law. In the ceremony that followed, ground was broken for a gazebo, to be located at Hodgin Hall, given by Mexico as a symbol of this cooperative arrangement. The faculty joined the Dean in commending Professor Al Utton for his organization of this event.
- Luis Stelzner will be teaching Advanced Criminal Procedure during the Spring Semester 1990 with the assistance of William Parnall. Dean Parnall encouraged faculty discussion about this arrangement.
- The Dean discussed current reports received from the ABA comparing law school salaries nationally.
- The AALS Conference will be held in San Francisco in January 1990. Dean Parnall encouraged all members of the faculty to attend and become involved in this national association. Associate Deans Romero and Winograd will be the hosts for the School of Law. The faculty were reminded to make airline and hotel reservations soon and let Associate Dean Winograd know about dinner reservations.
- The faculty joined Dean Parnall in congratulating Professor Sheryl Scheible for her recent nomination for Secretary/Treasurer of the Family Law Section of the AALS.
- The School of Law has received a request to submit nominations for the UNM Outstanding Teachers of the Year awards. Nominations should be submitted to Professor Dolores Etter, Associate Vice President for Academic Affairs.
- The faculty were reminded that Justice Anthony Kennedy will be here beginning Monday, January 22, 1990. His tentative agenda is attached.

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Ad Hoc Committee Report Law School Policy on Use of Old Exams:

Professor Dick Gonzales circulated and discussed the two drafts of proposed language for the Law School's policy on the use of old exams. After proper motion and second the following policy was adopted as amended.

LAW SCHOOL POLICY WITH RESPECT TO RELEASE AND REUSE OF EXAMINATION QUESTIONS

1. Release of examination questions. All examinations, following their administration, shall be released by the faculty member through the Dean's Office to the library where they shall be compiled and made available for inspection, provided, however, that the faculty member may decline to release any multiple-choice question.
2. Reuse of examination questions. No faculty member may use on any subsequent examination any question released pursuant to paragraph 1.
3. Unauthorized possession of examination questions. No student shall be in possession of or have access to any examination question that has not been released pursuant to paragraph 1.
4. Unauthorized disclosure of examination questions. No student shall disclose the specific contents of any examination question to any other person without the express consent of the instructor.
5. Notice on examinations. Any examination containing questions that are not intended by the faculty member to be released pursuant to paragraph 1 shall set forth the following or substantially similar notice:

Questions ____ through ____ are not intended to be released. You may not have in your possession or have access to any of these questions following the administration of this examination, nor may you disclose the specific contents of these questions to any other person without the express consent of the instructor. If you had advance possession of or

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knowledge of any question contained in this examination, report that fact to the instructor immediately.

Report on Guanajuato Program Developments:

Professor Bill MacPherson, Chair of the International Programs Committee, discussed the status of the proposed summer program with the University of Guanajuato Law School. This program, to be held in Mexico, is proposed to begin in the Summer of 1990.

Visiting Professor Ursua-Cocke discussed the exchange nature of the proposed program. Timing issues and the possibility of the Mexican law faculty coming to Albuquerque during the holiday season were discussed. Further faculty discussion revolved around the issues of prerequisites, credit hours, residence requirements, faculty approval of the academic content of the program, funding, and student tuition.

Other Business:

Professor Chuck DuMars reported that the School of Law and the Biology Department have put in a joint request to the Man and the Biosphere Program. The proposal would fund a long-term ecological site in Mexico where students would participate in a two-week exchange programs to study environmental issues.

Report on Length of School Year:

Associate Dean Winograd reported that the ABA has announced that it intends to amend its Standard 305 which relates to residence, class attendance, and the length of the academic year. Under the new standard, UNM School of Law's academic calendar appears to be five days short. The amended standard is as follows:

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Standard 305

"(a) The law school shall require, as a minimum condition for graduation, successful completion of a course of study in residence of not fewer than 1,120 class hours, or equivalent in external study extending over not fewer than three academic years for a full-time student or four academic years for a part-time student.

(b) An academic year must consist of no fewer than 140 days on which classes are regularly scheduled in the law school, extending over no fewer than 8 calendar months. Time for reading periods, examinations or other activities may not be counted for this purpose.

(c) A full-time student, to satisfy minimum residency requirements, shall devote substantially all working hours to the study of law and shall not engage in remunerative employment for more than 20 hours per week, whether outside or inside the law school. Regular and punctual class attendance is necessary to satisfy residence and class hours requirements.

(d) Prorata credit for residence may be awarded for study during summer sessions on any basis that fairly apportions a student's effort to the normal residence period."

The faculty considered various options, including adding three days to the Fall Semester and two days to Spring Semester, or using Intersession days, but took no action at this time.

The meeting adjourned at 5:10 pm

E.A. Jenkins-Smith
Faculty Secretary



To: First Year Law Students
From: Jerry Cantwell

Subj: Report From Faculty Committee Representative

FACULTY MEETING REPORT; December 1, 1989

Since my last report I have attended three faculty meetings, two of which were very brief. They were held on October 23 and 30 and November 13. Below is a combined report of those meetings.

I. Dean's Report

A. Roberta Cooper Ramo, a local attorney, has given the Law School faculty five sponsored memberships for the American Judicature Society.

B. As a result of the recent Faculty Retreat a Long Range Planning Committee for the Law School is being formed.

C. UNM School of Law will be hosting the regional CLEO program during the summer of 1990.

D. The Emil Gumpert Award from the American College of Trial Lawyers was presented to the UNM School of Law on November 15, 1989.

E. Professor Robert Schwartz is representing the Law School on the UNM 2000 Committee, which has been given the job of laying out goals and objectives for the University's future.

II. Faculty Publications

A. *Examination Of Witnesses*, a book by Professor Dick Gonzales.

B. Professor Scott Taylor recently published an article on captive insurance companies.

C. Professor Robert Schwartz has recently published an article in the *St. Louis University Law Journal* entitled, "Setting Limits on Autonomy: Saving Money In An Aging Society" (Vol. 33, 1989).

D. Research Professor Paul Nathanson has written the forward for the recent *Houston Law Review* symposium on "Health Care For An Ageing Society" (October 1989).

III. Visit of U.S. Supreme Court Justice Anthony Kennedy - Justice Kennedy will be visiting UNM Law School beginning Monday, January 22, 1990 through Wednesday AM, January 24. There will be various opportunities for students to meet and hear Justice Kennedy during his visit. He will deliver the SIMMS LECTURE at 7:00 PM on Tuesday, January 23 at the UNM Continuing Education Building. His title will be "The Rule of Law: The Idea and the Reality." More specific times for other activities will be provided.

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IV. Committee Report on Use of Old Exams - The policy as adopted provides that:

A. All examinations, following their administration, shall be released by the faculty member through the Dean's Office to the library where they shall be compiled and made available for inspection, provided, however, that the faculty member may decline to release any multiple-choice questions.

B. No questions which have been released according to policy may be re-used on subsequent exams.

C. No student shall be in possession of or have access to any examination question that has not been released according to policy.

D. No student shall disclose the specific contents of any examination question to any other person without the express consent of the instructor.

E. Any examination containing questions that are not intended by the faculty member to be released according to this policy will include a notice on the exam as to the effect of this policy.

V. Report on Guanajuato Program Developments - Professor Bill MacPherson, Chair of the International Programs Committee, discussed the status of the proposed summer program with the University of Guanajuato Law School. This program, to be held in Mexico, is proposed to begin in the Summer of 1990. Visiting Professor Ursua-Cocke discussed the exchange nature of the proposed program. Timing issues and the possibility of the Mexican law faculty coming to Albuquerque during the holiday season were discussed. Further faculty discussion revolved around the issues of prerequisites, credit hours, residence requirements, faculty approval of the academic content of the program, funding, and student tuition.

VI. Man and Biosphere Program - Professor Chuck DuMars reported that the School of Law and the Biology Department have put in a joint request to the Man and the Biosphere Program. The proposal would fund a long-term ecological site in Mexico where students would participate in a two-week exchange program to study environmental issues.

VII. Report on Length of School Year - Associate Dean Winograd reported that the ABA has announced that it intends to amend its standard for accredited law schools which relates to residence, class attendance, and the length of the academic year. Under the new standard, UNM School of Law's academic calendar appears to be five days short. The faculty considered various options, including adding three days to the Fall Semester and two days to Spring Semester, or using intersession days, but took no action. Nothing would change before the 1990/1991 school year.